



5000  
5000

JCS Rec'd PCT/PTO 22 MAY 2001

Bayer 10131-KGB  
Le A 33 298-US KK/BU/si

113

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Gerd SCHMITZ et al.  
SERIAL NO. : 09/786,635  
FILED : : March 7, 2001  
FOR : ATP BINDING CASSETTE GENES AND PROTEINS FOR DIAGNOSIS  
AND TREATMENT OF LIPID DISORDERS AND INFLAMMATORY  
DISEASES  
ART UNIT : To be assigned  
EXAMINER : To be assigned

**Box MISSING PARTS**  
Hon. Commissioner of Patents  
Washington, D.C. 20231

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 dated April 5, 2001, in the above-identified application. A copy of said Notification is attached hereto.

Submitted herewith is the Declaration executed by the inventors. It is requested that this paper be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☐ verified statement attached

☒ other than a small entity

☐ verified statement filed

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

522

Please charge:

☐ \$ 65.00 for small entity

☒ \$130.00 for other than small entity.

An extra copy of this communication is appended hereto for accounting purposes.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No.

14-1263.

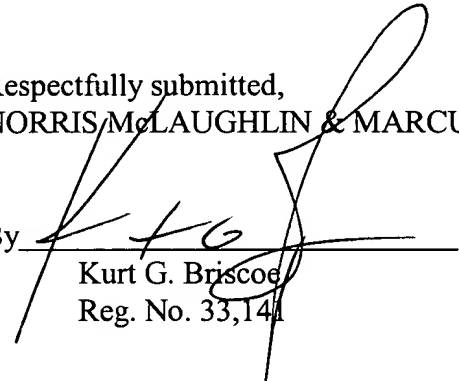
**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No.

14-1263.

Respectfully submitted,  
NORRIS McLAUGHLIN & MARCUS, P.A.

By

  
Kurt G. Briscoe  
Reg. No. 33,141

220 East 42<sup>nd</sup> Street  
30<sup>th</sup> Floor  
New York, New York 10017  
(212) 808-0700

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box MISSING PARTS, Commissioner of Patents, Washington, D.C. 20231, on the date indicated below.

Date:

May 17, 2001

By

  
Kurt G. Briscoe